

1 INSP. BONNER: How long ago was that?
2 [REDACTED]: Um, not so--maybe five
3 years ago.
4 INSP. BONNER: Because--
5 [REDACTED]: On--well, let me see. Uh, it's--no,
6 not even. I think I renewed my--my license dri--my
7 driver's license maybe three years ago. Three or
8 four years ago.
9 INSP. BONNER: Because the reason why I ask is
10 that, um, you seen that. I'm going to show it to
11 you as well--
12 [REDACTED]: Okay.
13 INSP. BONNER: Uh, the video of the--of--of
14 the whole--
15 [REDACTED]: Yes.
16 INSP. BONNER: Officer-Involved--
17 [REDACTED]: Yes.
18 INSP. BONNER: Of the person running.
19 [REDACTED]: Yes.
20 INSP. BONNER: And we're all of a sudden, you
21 know, you had--by based on the statement you gave
22 to the press that it's you--
23 [REDACTED]: Yeah.
24 INSP. BONNER: But we're looking at it and I
25 said, [REDACTED]

1 [REDACTED] [REDACTED] picture I have, she,

2 [REDACTED] And I said, "Granted, women can
3 change their hair style just like that"--

4 [REDACTED]: Yes.

5 INSP. BONNER: My wife's a living witness of
6 that. Uh, I said, "No, I don't think so." So I'm
7 glad.

8 [REDACTED]: No, you could recognize me yet--

9 INSP. BONNER: [REDACTED]

10 [REDACTED]: Look--yeah, exactly. [REDACTED]

11 [REDACTED]
12 [REDACTED]
13 [REDACTED]

14 [REDACTED]: [REDACTED]

15 INSP. BONNER: [REDACTED]

16 Yes.

17 [REDACTED]: Yes.

18 INSP. BONNER: Okay.

19 [REDACTED]: This is--this [REDACTED]

20 INSP. BONNER: Okay. All right. So we're
21 good. Uh, anyway, is it all right if I call you
22 [REDACTED]?

23 [REDACTED]: Yes, yes.

24 INSP. BONNER: Okay. Is--mine is Darryl

25 [REDACTED] but everybody calls me DJ and I am an

1 Investigator and [UNINTELLIGIBLE] whatever our
2 title is here.

3 [REDACTED]: Okay.

4 INSP. BONNER: I'm with the DA's Office.

5 [REDACTED]: And these are the offices of the DA?

6 INSP. BONNER: Yes, it is.

7 [REDACTED]: Oh, okay.

8 INSP. BONNER: This is one of them. Uh--

9 [REDACTED]: One, okay.

10 INSP. BONNER: The main one--the main one is
11 over at 850 Bryant.

12 [REDACTED]: On Bryant, right? Okay.

13 INSP. BONNER: Yeah, and--what this office is,
14 it's the Special Prosecutions Unit.

15 [REDACTED]: Oh.

16 INSP. BONNER: Uh, so basically, uh, I'm
17 assigned to, uh, public corrections, officer
18 involved, and use of force issues.

19 [REDACTED]: Okay.

20 INSP. BONNER: Uh. Unfortunately, I have the
21 most experience of all the investigators. I've
22 been doing it for 23 years.

23 [REDACTED]: Oh, wow.

24 INSP. BONNER: Investigating--

25 [REDACTED]: Okay.

1 INSP. BONNER: Homicides and--
2 [REDACTED]: In San Francisco.
3 INSP. BONNER: No. My--actually I started in
4 [REDACTED]
5 [REDACTED]: Oh. Okay.
6 INSP. BONNER: [REDACTED]
7 And then--
8 [REDACTED]: Oh! Okay.
9 INSP. BONNER: [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]: Okay.
13 INSP. BONNER: Um, so I'm doing it for--I just
14 do it for few years till my [REDACTED] finish
15 college and I'm done with this mess. Because it
16 been 31 years total for me.
17 [REDACTED]: Impressive.
18 INSP. BONNER: That I've been in law
19 enforcement so--
20 [REDACTED]: Oh, okay.
21 INSP. BONNER: All right. So we have that.
22 That is you. That is--
23 [REDACTED]: That is me.
24 INSP. BONNER: Okay.
25 [REDACTED]: That is me.

1 INSP. BONNER: Um, and I know your birth date
2 is [REDACTED].
3 [REDACTED]: Yes.
4 INSP. BONNER: And I know you living in
5 [REDACTED].
6 [REDACTED]: Yes.
7 INSP. BONNER: Um. You are--is there--is
8 there a dance class or--studio or something--
9 [REDACTED]: There's a studio called ODC.
10 INSP. BONNER: Okay.
11 [REDACTED]: On Shotwell between, uh, 18 and 17.
12 INSP. BONNER: Okay. I did see that.
13 [REDACTED]: Yeah, there's yoga classes, too.
14 INSP. BONNER: Okay.
15 [REDACTED]: I mean, it's very--well-known studio
16 in the Mission.
17 INSP. BONNER: All right. But now you--did
18 you used to live in San Francisco? Is that why you
19 come--drive all the way up here?
20 [REDACTED]: No, I drive twice a week, sometimes
21 three times a week, to dance in the City.
22 INSP. BONNER: Oh--why? Why are you doing
23 that?
24 [REDACTED]: Because they have the best dance
25 classes.

1 INSP. BONNER: Okay. All right. All right.
2 [REDACTED]: I mean, I have some in the Bay Area
3 but I like--I like--challenging class, I guess, and
4 I--I take this [REDACTED] class
5 for--I've been taking it for [REDACTED] at the
6 ODC.

7 INSP. BONNER: Okay.

8 [REDACTED]: And I really, really enjoy it. And
9 I couldn't--

10 INSP. BONNER: Okay.

11 [REDACTED]: Afford to go for now.

12 INSP. BONNER: Okay.

13 [REDACTED]: It wasn't always the case. But--

14 INSP. BONNER: All right.

15 [REDACTED]: So I'm enjoying it.

16 INSP. BONNER: All right.

17 [REDACTED]: [UNINTELLIGIBLE]

18 INSP. BONNER: And now what's--so what's your
19 plan with this?

20 [REDACTED]: What?

21 INSP. BONNER: With--with this, going to all
22 this dance. Are you a dancer by trade or what do
23 you just--

24 [REDACTED]: No, no, I've been dancing my entire
25 life.

1 INSP. BONNER: Okay.

2 : Uh, I'm not--I'm an engineer. I'm
3 an electrical engineer.

4 INSP. BONNER: Okay.

5 : So I'm not a dancer. I think--I
6 wish I were. [LAUGH]

7 INSP. BONNER: Okay.

8 : I'm really in--I'm really liking it.
9 I don't know where I'm going with this, to answer
10 your question, actually, so--

11 INSP. BONNER: Well, it's something you really
12 enjoy. I mean, that's--that's another--
13 [UNINTELLIGIBLE]

14 : It's a passion of mine, for sure.

15 INSP. BONNER: Okay.

16 : And--and I think I have a--taking a
17 break in my--in my work right now--

18 INSP. BONNER: Hm-hmm.

19 : Just to--to enjoy this because as--
20 as much as I can.

21 INSP. BONNER: All right.

22 : After that time I be too old. So--

23 INSP. BONNER: Don't touch it, don't be--

24 : It's--why not?

25 INSP. BONNER: You know. And I--I'm the same

1 because I'm older than you.

2 [REDACTED]: Okay.

3 INSP. BONNER: And, uh, and I'm on--age thing.

4 [REDACTED]: No, right. I--I feel young and--
5 and--and, you know, I'm fine but as--I really
6 wanted to it so that's why--

7 INSP. BONNER: Okay.

8 [REDACTED]: And--and they--they--San Francis--
9 San Francisco actually has the best, uh, dance
10 classes--

11 INSP. BONNER: Okay.

12 [REDACTED]: In my opinion.

13 INSP. BONNER: Okay. Well, that's--that's--
14 that's, I'm sure, somebody be happy to hear that.

15 [REDACTED]: Okay.

16 INSP. BONNER: Um, um, we're gonna talk about
17 the event that you obviously witnessed.

18 [REDACTED]: Yes.

19 INSP. BONNER: Um. Two weeks ago now. Uh, it
20 was the 7th.

21 [REDACTED]: Yes. Yeah, almost two weeks ago.

22 INSP. BONNER: Almost two weeks ago. Um. And
23 how this works, what--what the DA's responsibility,
24 what my responsibility, as an investigator is to
25 determine any criminal culpability.

1 [REDACTED]: Okay.

2 INSP. BONNER: Upon the--the act of the
3 officers.

4 [REDACTED]: Okay.

5 INSP. BONNER: Um, and then the DA--once all
6 the facts are gathered uh, the DA then sits down
7 with his management team and they decide whether
8 there is enough to press charges--

9 [REDACTED]: Hm-hmm, hm-hmm.

10 INSP. BONNER: Or the--or some other, um, uh,
11 decision to be made about the particular case.

12 [REDACTED]: Okay.

13 INSP. BONNER: Um. And then he just asks me
14 my opinion based upon my years of service.

15 [REDACTED]: Okay.

16 INSP. BONNER: And then--in the police unit.
17 And the good thing here is that the DA is also an
18 ex-police officer. He's an ex-police chief.

19 [REDACTED]: Right.

20 INSP. BONNER: So--

21 [REDACTED]: No, I read--

22 INSP. BONNER: He already has his own insight
23 into this, as well.

24 [REDACTED]: Do you have other investigators--
25 investigators, apart from yourself?

1 INSP. BONNER: Uh, that assists. Usually,
2 yes, there is one other but they just sent him off
3 to Homicide School. He's there for the next two
4 weeks.

5 [REDACTED]: Okay. So you're pretty much--

6 INSP. BONNER: Uh, so I'm by myself right now
7 but right now is really just, uh, locating a lot of
8 people--

9 [REDACTED]: Witnesses.

10 INSP. BONNER: You--witnesses, interviewing
11 them, or re-interviewing them because the Police
12 Department did interview quite a few people that
13 day. But then I have some clarifying questions.

14 [REDACTED]: Okay.

15 INSP. BONNER: Maybe they didn't cover
16 something as well as I think should be covered. So
17 I'll ask--

18 [REDACTED]: Sure.

19 INSP. BONNER: Those follow up questions of
20 people.

21 [REDACTED]: Okay.

22 INSP. BONNER: And then of some, also, um,
23 because of where they were seat--uh, sitting or
24 standing at the time--

25 [REDACTED]: Hm-hmm.

1 INSP. BONNER: That this occurred, taking
2 picture of where they--their vantage point.

3 : Okay.

4 INSP. BONNER: That way I can get a full
5 understanding.

6 : Right.

7 INSP. BONNER: Of where they were and what
8 they actually saw. Um. So with that, how I
9 usually work is that I just ask you to tell me the
10 story.

11 : Okay.

12 INSP. BONNER: Tell me how your day started.
13 How you got on Shotwell. Um. And then the--
14 whatever transpired that day, then we'll go back
15 over it and I'll clarify some things.

16 : Okay. So that day--on that
17 Thursday, I parked--I think I parked on 20th Street
18 on the--almost on corner of Shotwell and 20th.

19 INSP. BONNER: Okay.

20 : Um, and--and usually I try--I'm--
21 driving on Shotwell and try to park there because
22 it's closest to but--but I didn't even dare because
23 usually it's--it's always very crowded.

24 INSP. BONNER: I noticed that.

25 : Well, like in the Mission always.

1 So I parked there and then I was walking.

2 INSP. BONNER: Hm-hmm.

3 : So--I don't remember whether the
4 shooting happened between 20th--I think it was 20th
5 and--no, or was it 19 and 18. Maybe 19 and 18. So
6 I may--I must have--walked a block. Before--so the
7 first thing that I noticed, I think--I didn't
8 notice the car coming. So--because I was a little
9 late for my dance class, which starts at 10, I
10 think I was walking--I was exactly on Shotwell at
11 10, actually, when it happened.

12 INSP. BONNER: Hm-hmm.

13 : I--I don't remember seeing the
14 police cars approaching.

15 INSP. BONNER: Okay.

16 : What I remember seeing, I think the
17 first thing that I saw was--was the man, um--

18 INSP. BONNER: Can you describe the man?

19 : He--um, was hard to say. It--it
20 looked to me like he was homeless.

21 INSP. BONNER: Okay.

22 : Um, and my first thought was that
23 he--he--maybe he was living in one of the tents in
24 the encampment?

25 INSP. BONNER: Hm-hmm.

1 [REDACTED]: Um, I've been walking past the
2 encampment many times because I've been coming to
3 the City [REDACTED]
4 now.

5 INSP. BONNER: Okay.

6 [REDACTED]: Um. And--and so I've seen them.
7 And never had any problems with them. And--and
8 it's like, oh, okay, maybe he's--he's--he's part of
9 this encampment. What--and I'm not surprised to
10 see maybe someone, you know, sitting on--I mean, a
11 lot of them are sitting on the ground.

12 INSP. BONNER: Hm-hmm.

13 [REDACTED]: Um. Uh, and then I think I--I--I
14 said "I think" because he wasn't--that I
15 immediately saw the officer with the orange--it's
16 the--struck me as being orange and--and black gun.

17 INSP. BONNER: Okay.

18 [REDACTED]: Um, aiming at this person.

19 INSP. BONNER: Okay.

20 [REDACTED]: Um. And--and I was surprised. So I
21 stopped for a little while. I was looking. Um, it
22 occurred to me also that the--the homeless person,
23 who Luis Navarro, was--was waving his hands. And
24 he seemed like he was--from far--I didn't stop,
25 really. I just--you know, I continued to walking

1 as I was looking.

2 INSP. BONNER: Okay.

3 [REDACTED]: Um. And that he had something in
4 his left hand. I didn't see a knife. As I--I
5 didn't see a knife. It seemed that he was holding
6 something and then--and then moving it. A little
7 bit in the air.

8 INSP. BONNER: All right.

9 [REDACTED]: But he was pretty much, you know, in
10 a relaxed, almost, position. I mean, his back--was
11 sitting on the side wall on the sidewalk. His back
12 against the--I think it was a--a warehouse. I
13 don't know what it was.

14 INSP. BONNER: Okay.

15 [REDACTED]: Um, and--as far as I can remember,
16 he has a--his knees bent a little bit like in a
17 relaxed fashion.

18 INSP. BONNER: Okay.

19 [REDACTED]: Um, and--and--but he was moving. He
20 was--and he was talking. He was--he was--he was
21 saying things. I couldn't understand whether--

22 INSP. BONNER: You actually heard him saying
23 something?

24 [REDACTED]: Yes. I think he was--he was
25 talking, yes.

1 INSP. BONNER: Okay.

2 [REDACTED]: Um, so was he talking to the
3 officer? Was he talking to himself? I--I couldn't
4 say.

5 INSP. BONNER: Okay.

6 [REDACTED]: And I couldn't hear whether it was
7 Spanish or English or which language it was.

8 INSP. BONNER: Okay.

9 [REDACTED]: Um, so--and--and so I continued
10 walking and then I heard the officer shout, I
11 couldn't remember exact--the video shows it but I--
12 it was something like, "Stay on the ground, don't
13 move." It was--definitely orders.

14 INSP. BONNER: Okay.

15 [REDACTED]: For the person not to move.

16 INSP. BONNER: Okay.

17 [REDACTED]: And--and he was aiming. He was
18 aiming this big gun and I told to myself, what--
19 what--it looked like a toy. I have kids. Like,
20 like a--um, a water gun to me, like--

21 INSP. BONNER: Hm-hmm.

22 [REDACTED]: This big orange and--like why--why
23 is he using this?

24 INSP. BONNER: Okay.

25 [REDACTED]: And then--so in my head I thought

1 this must not be real bullets. Doesn't look like a
2 real gun. Might be he wants to scare that person.

3 INSP. BONNER: Hm-hmm.

4 : Or neutralize him in some way.
5 Although I didn't--I didn't see how this person
6 could be harmful because I didn't see anything, you
7 know, he seemed to be like sitting. But then I
8 assumed that I didn't see that the whole incident.

9 INSP. BONNER: Okay.

10 : Maybe something had happened before.
11 Maybe there had been a chase and this person was
12 dangerous. Who knows?

13 INSP. BONNER: Okay.

14 : I--I didn't know. So I continued
15 walking. I didn't stop and watch. And I think at
16 some point a blo--a car blocked my view because I
17 was standing up but he was at street level, right,
18 so he was--so I think I just--and many cars are--
19 'cause I don't--remember him after that. I don't--
20 I don't see what hap--I don't remember what
21 happened with him, whether he stood up, or not.

22 INSP. BONNER: Okay.

23 : I didn't see that.

24 INSP. BONNER: Okay.

25 : The last time I saw him was he was

1 sitting on the ground.

2 INSP. BONNER: Okay.

3 : For sure. And then I think--yeah, I
4 remember the officers shooting, um, what it sounds
5 to me many, multiple times. And I think I--I was
6 really surprised at first. Like, okay, this must
7 not be a--real bullets. I mean, why would he do
8 that? Um, and then it started, um, [precipating].
9 I mean, the--the--the shots were many in a row and
10 it didn't seem to stop. So I think I was scared
11 just to--to take a flying bullet.

12 INSP. BONNER: Yeah.

13 : And I just run to take cover
14 somewhere. Just to get away from the scene.

15 INSP. BONNER: Okay.

16 : As much as I could.

17 INSP. BONNER: How far did you run?

18 : Uh, not--I mean--I couldn't tell
19 you--there's the, um, there's sort of a--I think
20 it's a [start-up]. I don't know what it's called.
21 I think other people--because one I--I ran past by
22 it, it was a man looking at the scene.

23 INSP. BONNER: Okay.

24 : Um, so I don't know his names but--
25 but he was looking. To me, he's watching the scene

1 as well. And--and there on the construction, it's
2 like a--a--a porch made out of, uh, wood, you know,
3 like fake wood. I don't know. So I could--I don't
4 know exactly what the street number is but I know
5 that I ran past this and I walk--every time I go to
6 my dance school, I--I walk past it. Then I--and
7 then I stopped a little bit after that.

8 INSP. BONNER: Okay.

9 : Just little bit after the door.

10 INSP. BONNER: Hm-hmm.

11 : So past the man and then I walked
12 back.

13 INSP. BONNER: Okay.

14 : I walked back. I--I--I don't know,
15 I said, "Did you see what happened?" I think, um,
16 the man said, "Yes." And--and--and I walked back a
17 little bit just to see--

18 INSP. BONNER: Hm-hmm.

19 : What I--and then I saw the man on
20 the ground.

21 INSP. BONNER: Okay.

22 : In what I thought was a pool of
23 blood. Um. But I--so I was on the other side of
24 sidewalk so it's--it's, uh, and then--and then
25 after that I--I was really shocked. Um. And, uh,

1 I think I told the other witness that--that the
2 officer had shot the man. He said, "Yes, I know."
3 Um. And then I--I think--"but he was--he seemed
4 harmless. He didn't have--he didn't do anything."
5 I think that's what I said. And the guy said, "Oh,
6 he had a knife. He had a knife." Like, oh, I
7 didn't see it. I didn't know. [LAUGH] I didn't
8 know he had--and--and I didn't see what happened
9 before. But it really--it went really fast.

10 INSP. BONNER: Yeah.

11 [REDACTED]: And it really shocked me. Um. And
12 then I think after that I--I didn't know what to
13 do. Uh, so--so there were--I think the police--
14 some more police cars were approaching. So--so
15 it's like, okay, what--what else is to be done?

16 INSP. BONNER: Okay.

17 [REDACTED]: If I can say. And I went to my
18 dance class, actually, which was just right there.

19 INSP. BONNER: Yeah.

20 [REDACTED]: To try to also think about it. But
21 was hard to concentrate. And I--I left before the
22 end of the class to back--to go back to the--the
23 crime scene.

24 INSP. BONNER: Okay.

25 [REDACTED]: And see what I could do or what--

1 what was going on. So now there was--it was--
2 almost an hour and a half after.

3 INSP. BONNER: Okay.

4 : Around 11:30.

5 INSP. BONNER: Okay.

6 : More or less. A.m. And--and there
7 was--so there was like, you know, like yellow tape
8 and you couldn't approach the area.

9 INSP. BONNER: Hm-hmm.

10 : And I talked a little bit to people
11 who were there because they couldn't reach their
12 cars. They were just waiting for the scene to be
13 cleared. Um. And then--and then I went to talk to
14 an officer, saying, you know, after all--I--after
15 talking to some people, I said, maybe I should--I
16 should tell them that I was a witness. [LAUGH]

17 INSP. BONNER: Okay.

18 : It didn't occur, frankly, to me when
19 it happened.

20 INSP. BONNER: Hm-hmm.

21 : Um. I never was a witness of--of--
22 of an incident like this and then--so I told one of
23 the officers what had happened. He said, "Okay,
24 I'll call someone," and then they give me a, um, a
25 paper, something to write on. So I made a written

1 statement.

2 INSP. BONNER: Okay.

3 [REDACTED]: I gave my--my driver's license. I
4 gave my cell phone. I said I live in [REDACTED].
5 They gave me a phone number to call. I think it
6 was the Mission--San Francisco Mission District
7 Police Station.

8 INSP. BONNER: Okay.

9 [REDACTED]: Um, if I wanted to--if I wanted to
10 call back to--to give more details or if I had any
11 questions.

12 INSP. BONNER: Okay.

13 [REDACTED]: Um, and--and, yeah, so I gave them--
14 everything that they wanted to know and then I
15 left.

16 INSP. BONNER: Okay.

17 [REDACTED]: And my car was parked a little bit
18 further so I could--I was able to leave. Was not
19 part of the crime scene.

20 INSP. BONNER: All right. So you--did you
21 walk--you didn't walk back down Shotwell. You
22 just--

23 [REDACTED]: No. Van Ness. Van Ness.

24 INSP. BONNER: You walked down Van Ness.

25 [REDACTED]: Right. So I took--I think it was--I

1 took 18th Street, Van Ness, up to 20th.

2 INSP. BONNER: Okay. All right. Um. Now,
3 let's go back. I want you to think--just close
4 your eyes and envision--

5 : Okay.

6 INSP. BONNER: That day. To the best of your
7 ability, try to describe what the homeless man had
8 on.

9 : Ah. So he had--it seemed to me like
10 he had a--uh, it--it's difficult because it lasted
11 maybe two seconds, right? By the time I past--

12 INSP. BONNER: It is, it is a traumatic event,
13 too.

14 : Yeah. And it is. Yeah. And I know
15 that memory can be, uh, distorted. [LAUGH]

16 INSP. BONNER: Yes. It can be.

17 : It's--it's--it's hard to--but it
18 seemed that he was wearing a shirt. Maybe a short-
19 sleeved shirt. I think--I thought it was red or
20 reddish.

21 INSP. BONNER: Okay.

22 : Perhaps. And then pants may--I
23 think they were jeans.

24 INSP. BONNER: Okay.

25 : Um. And, um, it seemed that he had

1 long hair. A little--somewhat long hair, not very
2 short.

3 INSP. BONNER: Okay.

4 : Um. Uh. He did look Hispanic to
5 me.

6 INSP. BONNER: Okay.

7 : When I looked at him. Although, you
8 know, you never know. Can be really tan but, you
9 know, living on the street and--

10 INSP. BONNER: Yeah.

11 : Being in the sun all day. Um. So,
12 yeah, these are the facts that I remember.

13 INSP. BONNER: Okay. And I'll let you know,
14 your memory's actually pretty good.

15 : Really?

16 INSP. BONNER: Actually pretty good.

17 : Okay.

18 INSP. BONNER: It is a red--red is the color.

19 : Okay.

20 INSP. BONNER: The hair is really long. And
21 he is Hispanic.

22 : Okay.

23 INSP. BONNER: So you actually
24 [UNINTELLIGIBLE] exceptions.

25 PEPIN: I knew he--okay.

1 INSP. BONNER: And you probably--you see the
2 main sense.

3 : Right. And I read that--that the
4 articles that--

5 INSP. BONNER: So they're actually pretty
6 good. So now. Going back to that.

7 : Okay.

8 INSP. BONNER: Think about what was in his
9 left hand. What do you think that was in his left
10 hand? Can you--

11 : What it was.

12 INSP. BONNER: By the color or anything?

13 : No. No.

14 INSP. BONNER: Okay.

15 : It didn't look offensive. It didn't
16 look, uh, dangerous to me when I saw it.

17 INSP. BONNER: Okay.

18 : It looked like--I don't know. He
19 was waving it sort of but--but it wasn't in an
20 aggressive manner. That I remember. So to me he
21 accord--he appeared, sorry, a little more confused.

22 INSP. BONNER: Okay.

23 : Or a little lost or--or--you know,
24 um, like people--yeah, you see homeless people
25 sometimes in the street. You know, that they're

1 just so--

2 INSP. BONNER: Um, and as an engineer--

3 [REDACTED]: Yes.

4 INSP. BONNER: I'm a test you on your ability
5 to measure. How far do you think you were--the
6 distance between you and--were you--when you
7 realized the police were on scene and the homeless
8 man, how far do you think you were at that time?

9 [REDACTED]: When I was walking, but I was at
10 least was a distance of the--the street.

11 INSP. BONNER: Okay.

12 [REDACTED]: And, um, when I noticed--when I
13 noticed him, I think I was right in front of him.
14 So I--

15 INSP. BONNER: Okay.

16 [REDACTED]: I didn't see--um--must have been
17 thinking about things and lost in my thoughts,
18 like, happens. Um, and I think I--or maybe a
19 little before. So maybe this diagonal. But--so he
20 was in here and I was coming like this and I was
21 still walking and--so I could see him. So my guess
22 is that there was no car right in front. But I was
23 walking. My guess is that there was one here.

24 INSP. BONNER: Okay.

25 [REDACTED]: So I couldn't see.

1 INSP. BONNER: All right.

2 : Um. And then the officers--but it's

3 hard to--they were at least two cars away.

4 INSP. BONNER: Okay.

5 : When this started--yeah.

6 INSP. BONNER: All right. And again, you're

7 absolutely right. When you were--

8 : Really?

9 INSP. BONNER: At the point you came across--

10 : Okay.

11 INSP. BONNER: You were straight on at him and

12 there was a car parked in--would be to your left,

13 to his right as you--

14 : Yeah.

15 INSP. BONNER: Proceeded down the street.

16 : Okay.

17 INSP. BONNER: Okay. Now you said he was

18 waving something. You're not sure what it was.

19 Um, but not in a threatening manner.

20 : No.

21 INSP. BONNER: When you say "waving", how was

22 he waving it?

23 : A little--a little like--it--it--not

24 in a very, um, strong way. It was--it was, uh,

25 like in a weak manner, more. More so, I think.

1 From my--it's, um, but it didn't look right to me.
2 I--I--it's--as if it could have, you know, held
3 this stick or maybe not a--I don't know. A ball
4 or--or he was--or maybe more a stick. Something
5 like this.

6 INSP. BONNER: So the way you're moving your
7 wrist around--

8 : Yeah, exactly. More like this.

9 INSP. BONNER: All right, just--just tell us--
10 for now I had to use the word twirl
11 [UNINTELLIGIBLE] this not twirling but just rotate
12 his wrist in different directions? Or was it--

13 : Let me try to think.

14 INSP. BONNER: Okay.

15 : Um. That is hard to remember. I
16 don't know whether it was coming from, you know,
17 like this. I--I don't remember him going like
18 this, you know, like really like--

19 INSP. BONNER: You don't remember--

20 : Strong movements, no. No. No, no.

21 INSP. BONNER: More fluent movements.

22 : More fluent. Exactly.

23 INSP. BONNER: Okay.

24 : And he was sitting, also, you know,
25 and so it goes with--in my mind with the position

1 that he was--was in.

2 INSP. BONNER: Okay.

3 : So.

4 INSP. BONNER: And are you sure it was the
5 left hand?

6 : Yes. I would say his left hand.

7 INSP. BONNER: Okay. Um. [TONE] Now, as you
8 proceed up the street, um, from the time you were
9 able to see, uh, the homeless man evenly dur--
10 without any obstruction, how many steps or how far
11 do you think you walked before you then noticed the
12 police? Or heard the police. Which came first,
13 did you see the police or did you hear them?

14 : I was trying to remember. I think I
15 heard them first.

16 INSP. BONNER: Okay.

17 : Um. Well, him. The--one person.

18 INSP. BONNER: Okay.

19 : Um. And--maybe I took like three
20 steps? I don't know. It was really--really quick.

21 INSP. BONNER: Okay. All right. Um. And you
22 said "the one", now how many--did you ever--

23 : How many did I see?

24 INSP. BONNER: How many officers did you
25 finally--

1 [REDACTED]: I think I--I--I--I tried to remember
2 two. Um, but I--I think I saw only this one.

3 INSP. BONNER: Okay.

4 [REDACTED]: I saw in my--in my--peripheral
5 vision, I--I tried to remember, um, I might have
6 noticed, you know, when I--another one on the
7 other--so I was coming like this. The street was
8 like this.

9 INSP. BONNER: Okay.

10 [REDACTED]: The--the person, the man, who was
11 [UNINTELLIGIBLE] was there, and I was walking, I
12 was drawn to--to the gun, actually. I remember the
13 shotgun.

14 INSP. BONNER: Okay.

15 [REDACTED]: That was--what impressed me the
16 most. But I--I think I saw some--I think, right,
17 maybe, I'm not for sure, on the other side.

18 INSP. BONNER: Okay.

19 [REDACTED]: Of the homeless person. But it was--
20 -it's kind of--I didn't pay attention too much.
21 Maybe it was just, you know, part of my--side
22 vision.

23 INSP. BONNER: Okay. What I'm doing to the
24 best of my ability since I'm not an artist--this is
25 Shotwell.

1 [REDACTED]: Hm-hmm.

2 INSP. BONNER: Okay. Um. This would be the
3 garage. You notice the roll-up doors or garage
4 doors this side of this building? You remember
5 those?

6 [REDACTED]: Hm-hmm, hm-hmm.

7 INSP. BONNER: You remember how many there
8 were?

9 [REDACTED]: I pass by those--like--
10 [UNINTELLIGIBLE] [LAUGH]--um, so he has his back
11 against a garage door, you say?

12 INSP. BONNER: Yes. Well, it's not a garage
13 door per se--per se, it's, uh--

14 [REDACTED]: Maybe one--two--two, maybe?

15 INSP. BONNER: Okay.

16 [REDACTED]: Two?

17 INSP. BONNER: Um. And let's say that, um,
18 and just for the sake of it, uh, these are the
19 garage doors here? I know there's two--there's
20 actually three.

21 [REDACTED]: Okay.

22 INSP. BONNER: Uh, but--he's next to this one
23 right here. And there's a wall. And, uh, should
24 the--terrible of the sidewalk. Let's put the
25 sidewalk here. Because it's a fairly big sidewalk.

1 [REDACTED]: Right. So there were no cars parked
2 here at all since there were--
3 INSP. BONNER: Correct.
4 [REDACTED]: Okay.
5 INSP. BONNER: And we'll put our guy right
6 here. Is that okay?
7 [REDACTED]: Okay.
8 INSP. BONNER: All right, now. And your
9 sidewalk--and you--you walking--probably on this
10 side. Well, I know on this side, based on the
11 video.
12 [REDACTED]: Hm-hmm.
13 INSP. BONNER: Um. This is Shotwell. This
14 would be 19th here.
15 [REDACTED]: Hm-hmm.
16 INSP. BONNER: And of course 18th down this
17 way. Okay. Um. Now what I want to ask you to do
18 for me is when you first noticed, uh, the homeless
19 male, where were--when you first him, where did you
20 first notice him? Was it back here? Or was it
21 even with him? Or further down?
22 [REDACTED]: I think I would give a--a, uh,
23 estimation interval--[LAUGH]
24 INSP. BONNER: Okay.
25 [REDACTED]: I think it's--it's--maybe--was

1 pretty close but it was maybe here--between here
2 and--here, I would say.
3 INSP. BONNER: Okay. Um.
4 [REDACTED]: Not--not--not--not--
5 INSP. BONNER: Not that--
6 [REDACTED]: Much more before, no.
7 INSP. BONNER: Okay. So I'll--here's--let's
8 go position 1 that we can. That's make this--
9 [REDACTED]: Okay.
10 INSP. BONNER: That we first believe you saw
11 him. First. Let's go like that. Um. That--that.
12 Okay, now where were you on here when you first
13 noticed the police?
14 [REDACTED]: I think--
15 INSP. BONNER: And where was the officer when
16 you noticed him?
17 [REDACTED]: He was--so--
18 INSP. BONNER: Somewhere in here there's a--
19 there's a pole and a tree. Back this way. So--
20 [REDACTED]: Is there--I don't--I could--I
21 remember seeing the officer.
22 INSP. BONNER: Hm-hmm.
23 [REDACTED]: Seeing the gun. Um. Of course he
24 was standing up. So--
25 INSP. BONNER: Hm-hmm.

1 [REDACTED]: I could see him even above the car.
2 But, um, did I--let's see. I'm really trying hard.
3 I think--it's--um--so--I think I started noticing
4 him around here.

5 INSP. BONNER: Okay.

6 [REDACTED]: And then looking at him onwards. As
7 I was walking. And so the officer--where--where
8 was the officer? To me--um--to me, he wasn't very
9 far. But he wasn't that close either. Um. Like
10 he wasn't like a few--he was more than five meters
11 away from--it appeared to me.

12 INSP. BONNER: Okay.

13 [REDACTED]: From--from the person. Um. So I
14 would say maybe he was somewhere around here. I
15 guess.

16 INSP. BONNER: Okay. And just draw a line and
17 put "Officer".

18 [REDACTED]: Okay. Maybe I'll--yeah, maybe--I
19 don't know. Let's say this--this--this--okay. Um.
20 Officer.

21 INSP. BONNER: Yeah. Okay. Now--how far did
22 you get before you--see, so you saw the shotgun.
23 Or--

24 [REDACTED]: Yeah.

25 INSP. BONNER: The long gun, orange gun,

1 orange and black gun--

2 [REDACTED]: Hm-hmm.

3 INSP. BONNER: Where were you when you
4 actually turned and saw the--the shooting or the--
5 the initial shot fired?

6 [REDACTED]: So I guess I walked--I might having
7 around in this area, I guess, because I continued,
8 I mean, walked a few steps. So my guess is that I
9 was around here.

10 INSP. BONNER: Okay.

11 [REDACTED]: And--um--and I--I--I remember that I
12 didn't see. I wasn't--seeing the man. I assumed
13 he was still on the ground.

14 INSP. BONNER: Okay.

15 [REDACTED]: Um. And I think I was mostly
16 watching the officer. I was just wondering what he
17 was doing.

18 INSP. BONNER: Okay.

19 [REDACTED]: Um. As--and he was walking also
20 towards and I was walking this way.

21 INSP. BONNER: Okay. Uh, so you're--you're
22 off--you heard the--officer yelling out, definitely
23 commands--

24 [REDACTED]: Yes.

25 INSP. BONNER: Um. You--and you--you say--

1 stated that the homeless man was seated with his
2 back against the wall, knees possibly slightly
3 bent--

4 [REDACTED]: It--from what I remember, yes.

5 INSP. BONNER: From what I remember. And
6 something in his--and would you believe something,
7 unknown object in his left hand.

8 [REDACTED] Yes.

9 INSP. BONNER: Did the object appear to be
10 larger than his hand or did it be something of a
11 fit--just--you know what I mean? So--

12 [REDACTED]: Yeah. Yeah.

13 INSP. BONNER: It's--

14 [REDACTED]: About his hand size.

15 INSP. BONNER: About his hand size.

16 [REDACTED]: Yes.

17 INSP. BONNER: Okay. But it was something
18 protruding from his hand?

19 [REDACTED]: I--

20 INSP. BONNER: Could you say?

21 [REDACTED]: Yes, it's--it's, uh--I don't know.
22 Well, a little bit. Maybe a little bit. Maybe a
23 little bit. Yeah.

24 INSP. BONNER: Okay. Uh--

25 [REDACTED]: Not too much but a--yeah.

1 INSP. BONNER: Okay. Uh, so you heard the
2 command. You saw some--something in his hand. U
3 m. Possibly protruding a little bit--
4 [ABRUPT END TO AUDIO]
5 END OF DOCUMENT